

REMARKS

Claims 1, 3-9 and 11-16 have been examined. With this amendment, Applicant adds claim 17. Claims 1, 3-9 and 11-17 are all the claims pending in the application.

The Examiner has rejected claims 1, 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Deguchi *et al.* (US 6,295,080) [“Deguchi”]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites a printing method for an optical printer comprising “providing an exposure area for accepting the photographic recording medium [and] ... performing a preliminary emission process ... wherein the printing head is moved out of the exposure area during the preliminary emission process, and wherein a time period for performing the preliminary emission process includes a period where the photographic recording medium is in the exposure area.” The Examiner concedes that Deguchi discloses a print head that is stationary but contends that moving the medium is equivalent. Final Office Action at page 4.

Claim 1 clearly recites that the printing head is moved out of the exposure area during the preliminary emission process. This feature is not disclosed or suggested by Deguchi as the Examiner readily concedes. Assuming, for the sake of argument alone, that the Examiner’s contention that moving the medium out of the exposure area is equivalent, Applicant submits that it would then be impossible for the system in Deguchi to perform the preliminary emission process in “a period where the photographic recording medium is in the exposure area” as set forth in claim 1.

Applicant submits that claims 3 and 4 are patentable at least by virtue of their dependency on claim 1.

The Examiner has rejected claims 5-9 and 11-16 under 35 U.S.C. § 103(a) as being unpatentable over Gowda et al. (US 6,628,333) [“Gowda”] in view of Deguchi. For at least the following reasons, Applicant traverses the rejection.

Because claim 5 recites features similar to those given above with respect to claim 1 and Gowda does not cure the deficient teachings of Deguchi, Applicant submits that claim 5 is patentable for at least reasons similar to those given above with respect to claim 1.

Because claims 6-9 and 11-16 depend on either claim 1 or claim 5, Applicant submits that these claims are patentable at least by virtue of their respective dependencies.

With this amendment, Applicant adds claim 17. Applicant submits that claim 17 is patentable at least by virtue of its dependency, as well the features set forth therein.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.114(c)
U.S. Serial No. 09/705,794

Attorney Docket No.: Q61485

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

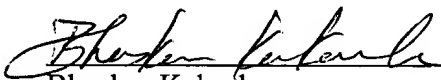
Respectfully submitted,

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